



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

NJM:EHS/LRO/ADR
F. #2019R01179

*271 Cadman Plaza East
Brooklyn, New York 11201*

May 2, 2025

By ECF

The Honorable Carol B. Amon
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Awais Chudhary
Criminal Docket No. 20-135 (CBA)

Dear Judge Amon:

On April 3, 2025, the defendant Awais Chudhary provided notice that he intends to “introduce expert testimony at trial relating to a mental disease or defect or any other mental condition bearing on the issue of guilt” pursuant to Federal Rule of Criminal Procedure 12.2(b). *See* ECF No. 223. Under Federal Rule of Criminal Procedure 12.2(c)(1)(B), “[i]f the defendant provides notice under Rule 12.2(b) the court may, upon the government’s motion, order the defendant to be examined under procedures ordered by the court.”

By this letter, the government respectfully moves for an order pursuant to Federal Rule of Criminal Procedure 12.2(c)(1)(B) requiring the defendant to submit to examination by a mental health professional to be retained by the government. *See, e.g., United States v. Taveras*, 233 F.R.D. 318, 320 (E.D.N.Y. 2006) (“Reported cases applying Rule 12.2(c)(1)(B)’s new discretionary provision are few. In every instance, upon the government’s request, the court has ordered the defendant to undergo examination before trial. This practice is understandable in those cases where the defendant intended to offer mental health evidence to defend against a finding of guilt.”) (emphasis removed). A proposed order is attached for the Court’s

convenience. The government has conferred with counsel for the defendant, who does not object to the proposed order.

Respectfully submitted,

JOHN J. DURHAM
United States Attorney

By: /s/
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Enclosure

cc: Clerk of Court (CBA) (by ECF and Email)
Counsel of Record (by ECF and Email)